

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

<b>In the Matter of</b>	)	
	)	
<b>Creation of a Low Power Radio Service</b>	)	<b>MM Docket No. 99-25</b>
	)	
	)	

**To the Commission:**

**Comments of Nickolaus E. Leggett, N3NL**

I am one of the original petitioners for the establishment of the low power FM (LPFM) radio broadcasting service. My comments address the civil rights aspects of LPFM broadcasting.

**Concept of LPFM**

One of the original concepts of LPFM was very low power stations (one Watt output power) that would serve individual neighborhoods in urban areas. Each station would have a very small coverage area (contour) that would cover a single community and allow extensive frequency reuse in the same geographic region. These simple very low power stations would be operated by the local community residents themselves who would transmit programs about their neighborhood and feature local talent and events.

These little stations were intended to enable people in the ghettos and the barrios to develop their own communities and to create new opportunities for their people. Local community people would broadcast neighborhood notices, cover local church services and meetings, Little League games would be broadcast and local musicians showcased. All of these broadcast activities would build up the local communities.

## **LP10 Stations**

Over time, the one Watt stations concept changed to the LP10 (10 Watt) stations that were included in the existing FCC rules for LPFM broadcasting. The LP10 offers the same option of very localized neighborhood broadcasting.

## **Commission Proposal to Eliminate LP10 Stations**

Over the years, the Commission has not licensed a single LP10 station. In addition, the Commission is now proposing that the LP10 station be eliminated as an option for urban America. This will cause all of the urban neighborhoods in America to lose the opportunity to have their own radio stations.

This action can easily be interpreted as discrimination against minority neighborhoods. This result will happen because the coverage areas of the bigger LP100 stations are too large to allow individual neighborhoods to have their own radio stations. You will only have a few LP100 stations in a city compared to numerous LP10 stations.

## **Future Litigation**

I am not a lawyer, but I am a political scientist. I think that eventually some parties will litigate the question: Is the Commission's decision to eliminate the LP10 an act of discrimination against minority and underprivileged people? This litigation will be propelled by many citizens' belief that the Federal Communications Commission is serving the interests of the rich and powerful, while it is ignoring the interests of regular American citizens.

## **Recommended Actions**

The Commission should direct its attorneys to examine this civil rights situation. In addition, the Commission should keep the LP10 station in the LPFM rules and they should issue

licenses for urban LP10 stations to serve specific urban neighborhoods. The Commission needs to stand up for the rights of urban minorities to be heard on the American citizens' airwaves.

**Respectfully submitted,**

**Nickolaus E. Leggett**

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**May 4, 2012**

**General Radio Telephone Operator Licensee with Ship Radar Endorsement.  
Amateur Extra Class Radio Operator (call sign N3NL). ISCET and iNARTE certified  
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